

Bureau of Indian Education

CONTINGENCY PLAN



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Overview

This Contingency Plan pertains to all offices and functions within the Bureau of Indian Education (BIE) including Central Office East (Washington, D.C.), Central Office West (Albuquerque, New Mexico), Southwestern Indian Polytechnic Institute (Albuquerque, New Mexico), Haskell Indian Nations University (Lawrence, Kansas), and the 22 Education Line Offices located in 23 states across the Nation. The direct impact of this plan will apply to the 59 BIE operated elementary/secondary schools and two post-secondary institutions.

In the event of a lapse in appropriations which bring about the need for contingency operations, the normal organization of the BIE will shift into that of the contingency organization. The focus of the BIE will shift from the current structure and function of "business as usual" to the structure and function of the BIE working towards essential operations for programs subject to annual appropriations.

The Basic Elements of the Plan Are:

1. Identification of excepted employees.
2. Identification of employees and operations that can continue as they are not funded by lapsed appropriations.
3. Alternate means of communication, including voice, fax, and electronic.
4. Leadership and support services to Federal operations.

The primary objectives of this plan are to:

1. Protection of human life, preventing harm, ensuring safety and well-being of employees and students and protection of property.
2. Ensure continued leadership.

Contingency Operations

The BIE contingency organization's primary duties are:

1. To continue instructional and related educational services within the BIE funded schools for those not funded by annual year appropriations.
2. To protect employees, students, and property.
3. To ensure that a viable capability exists to respond to an incident.
4. To manage essential emergency response activities.
5. To support and communicate with employees, system administrators, security officers, and managers.

Affected BIE Employees

Office/Location	Employees on Board	Excepted	Other Than Annual Appropriations	Total During Contingency	Subject to Furlough [On Call]
Director, HQs	77	12	35	47	30 [30]
Haskell	180		180	180	
SIPI	89		89	89	
Associate Deputy Director	2	1		1	1 [1]
Schools	867		867	867	
ELO/Facilities	56	11		11	45 [7]
Associate Deputy Director	3	1		1	2 [1]
Schools	928		928	928	
ELO/Facilities	108	12		12	96 [13]
Associate Deputy Director	3	1		1	2 [1]
Schools	1,823		1,823	1,823	
ELO/Facilities	102	16		16	86 [6]
Total	4,238	54	3,922	3,976	262 [59]

Excepted Personnel

- The Director, BIE and his Senior Management team must ensure the essential activities continues during the lapse of appropriations.
- For operations funded by other than lapsed appropriations, the Director, BIE, must continue to provide a safe and secure environment for students in the elementary, secondary, and post-secondary institutions.
- Post-secondary institutions operated by the BIE will continue to operate on funding sources other than lapsed appropriations in order to ensure class credits are not compromised and lost

to the students by ending classes and sending students home in the middle of a semester/trimester.

- Where other than lapsed appropriations are available (forward funding) elementary and secondary schools must continue operations to meet all appropriate state academics standards. These schools are located in 23 states.
- The BIE must continue essential activities - to work with appropriate law enforcement officials and social services offices to address issues arising from child abuse and neglect.
- Where other than lapsed appropriations are available, the BIE must continue to provide appropriate academic technical assistance and guidance to the BIE-operated and tribally controlled schools, as mandated by Public Law 107-110, No Child Left Behind Act of 2001.
- The BIE must be prepared to address essential activities including emergencies (i.e., acts of violence) and critical incidents (suicides, bullying, etc.) at both the BIE-operated and Tribally Controlled Schools.

Funding Sources

ANNUAL APPROPRIATIONS

Summary

As shown in the above chart, BIE is funded by two separate sources.

Annual Appropriations

Certain program funding is provided on a Government Fiscal Year, of which a total of 54 employees are categorized as Excepted to ensure the outlined goals of the BIE. These positions are necessary to provide essential activities to ensure protection of individuals on-site and Federal property.

For example, employees identified as Excepted in Facilities will provide protection of property as well as to on-site personnel and students to ensure no harm comes to human life or property.

OTHER THAN ANNUAL APPROPRIATIONS

The following section denotes those employees which have funding sources other than the annual appropriations: 1) Forward Funded Programs and 2) Bequests.

Forward Funding

The Elementary and Secondary (forward funded) programs include all components of operating an elementary and secondary school system, specifically funding for educational programs, transportation, security, and special needs. Since most of the schools are operated by tribes through grants, the program also includes funding for grants to cover tribes' administrative costs. The forward-funded programs are the Indian School Equalization Program (ISEP) Formula Funding, ISEP Program Adjustments, Education Program Enhancements, Student Transporta-

tion, Early Childhood Development, and Tribal Grant Support Costs (formerly titled Administrative Cost Grants.) Funds appropriated in Fiscal Year 2010 are available to operate elementary and secondary schools during the 2010-2011 School Year. Funds appropriated in Fiscal Year 2011 to date through continuing resolutions are also available to operate elementary and secondary schools during the 2011-2012 School Year. Total employees in this category are listed in the above chart (excluding SIPI and Haskell).

Bequests

In addition, bequest funding is available for overall operations at Haskell and SIPI as provided for each institution, respectively. The bequests, as provided by the donor(s), allow such use at both institutions. Employees affected by this funding are listed in the above chart under Haskell and SIPI.

Haskell and SIPI will continue normal operations as the source of funding to offset operation costs are the respective bequests received for each institution. These two education institutions serve tribal members from across the United States and to close the facilities, including dormitories, immediately will endanger the student and staff population. The BIE Director has determined that it would be a detrimental effect to the students to immediately close the doors of the university campuses due to a lapse in appropriations. BIE anticipates any Government shutdown to be temporary and, again, will utilize appropriate bequest funds for operations to the extent where plans can be made to transport students to their respective communities when needed. The potential impact on students is they may not receive credit for time spent in current class schedules and may face adverse actions from their financial aid agencies.

Should a lapse in appropriations be in effect for 5 continuous days, the BIE will begin sending students home. Due to factors out of the control of BIE, such as modes of transit and transit schedules, it is expected to take approximately 5 – 7 days to effect this action.